

Order to Adopt
Title 13, Division 1, Chapter 1
Article 2.1 – Commercial Driver’s Licenses

§ 26.01. Commercial Driver License Citizenship and Residency.

The department may not issue a commercial driver’s license or commercial learner’s permit to any person unless the person presents to the department proof of his or her U.S. citizenship or lawful permanent residency in the U.S., and proof of California residency.

(a) Proof of U.S. citizenship or lawful permanent residency in the U.S. is established when a person presents any of the following genuine documents bearing his or her true full name to the department:

(1) Valid, unexpired U.S. passport or passport card.

(2) Certified copy of a birth certificate filed with a State Office of Vital Statistics or equivalent agency in the individual’s state of birth; from Puerto Rico, on or after July 1, 2010; from the U.S. Virgin Islands, on or after January 17, 1917; from Guam, on or after April 10, 1899; or from American Samoa, or the Commonwealth of the Northern Mariana Islands, after November 4, 1986.

(3) U.S. Certificate of Birth Abroad (FS-545, issued by the U.S. Department of State, or DS-1350, issued by the U.S. Department of State) or a Consular Report of Birth Abroad of U.S. Citizen (FS-240, issued by the U.S. Department of State).

(4) Certificate of Naturalization (N-550, issued by the U.S. Department of Homeland security, N-570, issued by the U.S. Department of Homeland Security, or N-578, issued by the U.S. Department of Homeland Security).

(5) Certificate of Citizenship (N-560, issued by the U.S. Department of Homeland Security, N-561, issued by the U.S. Department of Homeland Security, or N-645, issued by the U.S. Department of Homeland Security).

(6) A valid, unexpired Permanent Resident Card, issued by the United States Citizenship and Immigration Services (USCIS) or Immigration and Naturalization Service (INS).

(b) To establish proof of California residency, the applicant for an original commercial driver’s license or commercial learner’s permit, a renewal of a commercial license or commercial learner’s permit, or an upgrade or transfer of a commercial driver’s license shall present to the department one of the following documents bearing the applicant’s first and last name. With the exception of subsections (b)(19) and (b)(20), the document must list the applicant’s first and last name and the California residence address must match the mailing address listed on the commercial driver’s license application.

(1) Rental or lease agreement with the signatures of the owner/landlord and the tenant/resident.

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- (2) Deed or title to residential real property.
 - (3) Mortgage bill.
 - (4) Home utility bill including cellular phone bills.
 - (5) School document as defined in Section 16.06(a)(1).
 - (6) Medical document.
 - (7) Employment document.
 - (8) Faith-based documents that include the name and address of the issuing organization.
 - (9) Insurance document, including medical, dental, vision, life, home, rental and vehicle.
 - (10) Internal Revenue Service or California Franchise Tax Board tax return.
 - (11) California Certificate of Vehicle or Vessel Title or registration.
 - (12) Change of Address Confirmation by the United States Postal Service (Form CNL 107).
 - (13) Document issued by a government within the U.S. or the U.S. government institution as defined in Section 16.02(b).
 - (14) A property tax bill or statement.
 - (15) Record of a financial institution as defined in Section 16.10(c)(16).
 - (16) Voter registration confirmation letter or postcard issued by California Secretary of State or a local California county elections officer.
 - (17) Proof of payment of resident tuition at a public institution of higher education located in California.
 - (18) An original or copy of an approved Claim for Homeowner's Property Tax Exemption (Form BOE-266) filed with a local California County Assessor.
 - (19) Court document that lists the applicant as a resident of California.
 - (20) A letter, on letterhead from a homeless shelter, a shelter for abused women, a nonprofit entity, a faith-based organization, an employer, or a government within the United States attesting that the applicant resides in California.
- (c) Notwithstanding subsection (b), a parent, a legal guardian, or a child may use a birth certificate and a spouse or domestic partner may use a marriage license or domestic partner registration certificate to trace his or her relationship to the individual to whom a residency document listed in subsection (b) has been addressed.

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(d) The department may determine additional documents that will assist in verifying an applicant's true California residency on a case-by-case basis.

NOTE: Authority cited: Sections 1651 and 15250, Vehicle Code. Reference: Sections 12505, 12809 and 15250, Vehicle Code; and Sections 383.71 and 383.73 of Title 49 of the Code of Federal Regulations.

§ 26.02. Citizenship and Residency Proof for Issuance, Renewal, Transfer or Upgrade of Commercial Learner's Permit or License.

(a) If the department verifies the U.S. citizenship of a license or permit holder and records the date of that verification in the department record associated with the license or permit holder, the department may rely on this record as proof of citizenship or lawful permanent residency.

(b) If the department does not have a record of prior verification of U.S. citizenship or lawful permanent residency for any license or permit holder, the proof must be submitted pursuant to section 26.01.

(c) Proof of residency is required for each issuance, renewal, transfer or upgrade of any commercial learner's permit or commercial driver's license.

NOTE: Authority cited: Sections 1651 and 15250, Vehicle Code. Reference: Section 15250, Vehicle Code; and Sections 383.71 and 383.73 of Title 49 of the Code of Federal Regulations.